

Minutes of Investigations Oversight Committee Meeting 19 Nov 2014

Location	Present	In Attendance
8 Weymouth Street London W1W 5BU	Nabila Zulfiqar (Chair) Alex Wright Arun Singh	Simon Howard

Note	Action
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1 Apologies

None

2 Minutes of previous meeting

The minutes from the meeting of 26 June 2014 were agreed subject to the correction of typographical errors.

All the actions from the previous meeting were noted as being complete, and the minutes agreed, subject to amending minor errors under items 3.

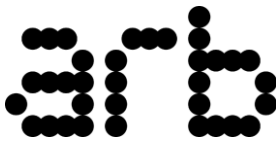
Matters arising

The IOC noted that 25% of cases being referred to the Professional Conduct Committee in 2014 had resulted in a not guilty finding. There were no undue concerns at this figure in itself, as the evidence is that only appropriate cases have been referred to a hearing.

SH told the IOC that further consideration had been given as to how male architects over the age of 55 could be best communicated with, given that they are the statistically the most likely architects on the Register to be referred to PCC. Having reviewed the communication strategy since the last meeting, the statistics would appear to show that the current methods are effective and appropriate, as there are as many architects of this demographic signed up to updates on professional practice as any other.

3 Investigations Pool update

The IOC noted the minutes of the IP meeting on 11 September 2014, and AW



provided an update on his attendance at the IP meeting of 21 July 2014.

The IOC noted the steps that were being taken to ensure that allegations reaching the IP were sufficiently accurate. This is important so as to avoid the need for the particulars to be reframed before giving the architect the opportunity to make further submissions, which may have an impact on timescales.

The IOC suggested that the minutes should clearly record that any cases discussed at the meeting were decided only by the Panel responsible for the case.

Action: SH to advise the IP of the risks surrounding any lack of clarity as to who was involved in decision making.

4 Professional Conduct Committee update

The IOC considered PCC decisions that have been reached since its last meeting. It noted that new guidance on the importance of appropriate professional indemnity insurance was to be issued.

The results of the PCC members' appraisals were not available at the meeting. The IOC noted that the PCC appraisal process is to be reconsidered by it to ensure that it remains fit for purpose.

Action: SH to ensure that new guidance on PII is published

Action: SH to report back on any changes to the PCC appraisal process

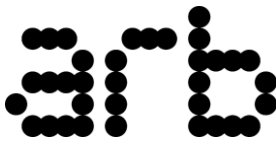
5 Costs Review

The IOC was informed that regulation costs were on budget for 2014.

6 Legal Challenge update

The IOC considered the High Court's judgment in the case of Woodman-Smith v Architects Registration Board, which was welcomed - particularly the confirmation that an architect remains subject to the Code of Conduct in his or her professional life, regardless of whether they are practising architecture.

SH updated the IOC on any potential legal challenges or issues.



7 KPIs

The IOC welcomed the interim Key Performance Indicators for the year to date, and noted that the performance of the IP over the year is improving.

A further point to be welcomed was the increase in queries being made to ARB in connection with matters of professional practice.

Action: SH to produce end of year statistics for the average length of an entire case.

Action: If appropriate, SH to communicate the rise in queries on matters of professional practice as a positive benefit ARB brings to the profession.

8 Agreed protocol with RIBA

The IOC noted the agreed protocol for dealing with regulatory matters between ARB & RIBA, and that it would be published on the ARB website shortly.

9 Russell Cooke Compliance Review

Having considered the review on how ARB's compliance with its section 14 responsibilities is being delivered, and the response to its recommendations, the IOC reached the view that most actions within ARB's control have been implemented. Changes to legislation are also recommended and these may be considered as part of the Periodic Review.

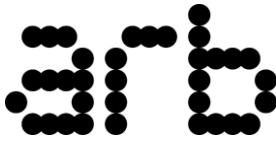
Action: NZ to advise Audit Committee Chair of the IOC's position

10 PCC Consent Orders

The IOC confirmed its support for the proposal to introduce PCC Consent Orders, to be considered by the Board at its meeting on 20 November 2014.

Points of clarification were raised in terms of who makes the decision as to whether a Consent Order will be offered to the respondent; and whether the Consent Order will expressly state that the respondent accepts that the agreed facts amount to unacceptable professional conduct or serious professional incompetence.

Action: SH to deal with both points at the Board meeting, and provide written answers to the Chair of the IOC after the meeting.



11 Section 14 Review planning

SH outlined the proposals for reviewing in 2015 how ARB might deliver its responsibilities under section 14 Architects Act 1997 more effectively.

These include a comparative audit of other regulators to seek best practice; a fundamental review of how cases are investigated and decided on, and a review of whether the current PCC procedures and personnel are proportionate and cost-effective.

The IOC noted that while preparation work for this exercise could begin immediately, the substantive part of the review would need to await the outcome of the Periodic Review, as ARB's legislative responsibilities could well be changed.

12 2015 Workplan & meeting dates

The 2015 Workplan to be agreed and circulated post-meeting.

The dates of the IOC meetings in 2015 are:

12 February at 2pm
4 June at 12.30pm
7 October at 3.30pm

15 AOB

There was no other business. The meeting concluded at 16.40